

Appln. No. 10/680,270
Amendment
Reply to Office Action dated September 3, 2004

Docket No. 304-814

REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated September 3, 2004. This amendment is filed with a request for extension of time and authorization to charge Deposit Account No. 50-0951 for the appropriate fees. The Commissioner is also authorized to charge Deposit Account No. 50-0951 in the amount of \$600.00 for three extra independent claims.

At the time of the Office Action, claims 1-23 were pending. In the Office Action, objections were raised to the disclosure and claim 10. Claim 4 was rejected under 35 U.S.C. §112, second paragraph. Claims 1-7 and 10-17 were rejected under 35 U.S.C. §102(b). Claims 8, 9 and 22 were rejected under 35 U.S.C. §103(a). Claims 18-21 and 23 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The objections and rejections are discussed in more detail below.

I. Disclosure Objections

The disclosure was objected to for listing references to specific claim numbers in the specification. The specification is duly amended herein to remove such references, and withdrawal of the objection is thus respectfully requested.

II. Claim Objections

Claim 10-23 were objected to for the recital in claim 10 of the phrase "in the case of correct heating device use" which was deemed unclear. Claim 10 is amended herein to delete this phrase, and withdrawal of the objection is thus respectfully requested.

III. Claim Rejections under 35 U.S.C. §112

Claim 4 was rejected under 35 U.S.C. §112, second paragraph, as failing to set forth the subject matter which applicants regard as the invention. In line 2, the phrase "insulated to the outside between said connections to said contacts" was asserted to be unclear. Applicants have amended claim 4 accordingly by deleting the words "between said connections to said contacts" in

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accordance with the Examiner's interpretation of the claim. Withdrawal of the rejections under 35 U.S.C. §112, second paragraph, is thus respectfully requested.

IV. Rejections to the claims based upon Art

Claims 1-7 and 10-17 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 839,255 to Ayer ("Ayer"). Claims 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ayer. Claim 22 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ayer in view of U.S. Patent No. 6,445,276 to Schon et al.

Applicants have amended claim 1 to incorporate the features of claims 5, 7, and 8, and have amended claim 9 into independent form. Claims 5, 7 and 8 are cancelled herein. Applicants respectfully traverse the rejection of claims 8 and 9.

Applicants disagree that the features of claim 8, which are now present in amended claim 1, are obvious over Ayer. It is not within the level of a person of ordinary skill in the art to vary the shape of the connection bridge of Ayer in such a way that it fulfills the features of amended claim 1. The technical effect of the features of amended claim 1 is not due a simple variation of the shape of the connection bridge. Usually, a person skilled in the art would give a connection bridge connecting two contacts a straight form for the shortest possible contact length using the least possible amount of material with consequent easier manufacturing.

The invention according to amended claim 1 aims in a different and opposite direction. The claim does not define any arbitrary shape of the connection bridge but a special one with a certain function defined by the features of claim 1, and in particular that the design of the connection bridge is intended to generate the claimed tilting moment, which is described in paragraph [014]. From the disclosure of Ayer, a person having ordinary in the art is taught neither the shape of the connection bridge defined in amended claim 1, nor the idea of generating a tilting moment at the connection bridge. As such, a person having ordinary in the art would not come to the design of a connection bridge according to the features of amended claim 1 when starting from Ayer.

The argumentation in the Office Action pointing to paragraph [049] of the specification of the present application does not take into account that this extensive variation of the shape of the

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connection bridge is possible based upon the teaching of the present application, and thus is under the aspect of the independent claims. Only when the criteria set out in the independent claims are met can the shape be varied extensively. Any persons having ordinary skill in the art would not find such variations without first understanding the teaching of the present application. No teaching or suggestion of such shape variations can be found in the cited prior art documents.

The same argumentation applies to the features of claim 9. The U-shaped connection bridge is not merely a simple variation starting from the prior art of Ayer, but is intended to fulfill a specific function, that is the generation of a tilting moment. As such, it is not taught or suggested by Ayer.

None of the other prior art documents discloses the features of claims 8 or 9 or the idea of generating a tilting moment at the connection bridge by the specific shape of such connection bridge.

For these reasons, amended claims 1 and 9 are believed to relate to patentable subject matter, and to be in condition for allowance. Dependent claims 2-4, 6, 10-17 and 22 are also believed allowable on the basis of their dependence upon allowable base claims, and because of the further features recited.

V. Allowable Subject Matter

The Office Action indicated that claims 18-21 and 23 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants accept allowance of these claims, and have duly rewritten claims 18, 20 and 23 in independent form, in accordance with the suggestion of the Examiner. Claims 19 and 21 are now dependent upon allowable base claims 18 and 20.

VI. Conclusion

Applicants have made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would

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expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

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Respectfully submitted,



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